

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 4548**  
**OFFERED BY MR. GOSS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Intelligence Authorization Act for Fiscal Year 2005”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—INTELLIGENCE ACTIVITIES**

Sec. 101. Authorization of appropriations.

Sec. 102. Classified schedule of authorizations.

Sec. 103. Personnel ceiling adjustments.

Sec. 104. Intelligence Community Management Account.

**TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND  
DISABILITY SYSTEM**

Sec. 201. Authorization of appropriations.

**TITLE III—GENERAL PROVISIONS**

Sec. 301. Increase in employee compensation and benefits authorized by law.

Sec. 302. Restriction on conduct of intelligence activities.

Sec. 303. Assistant Director of Central Intelligence for Information Management.

**TITLE IV—CENTRAL INTELLIGENCE AGENCY**

Sec. 401. Permanent extension of Central Intelligence Agency voluntary separation incentive program.

**TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES**

Sec. 501. National Security Agency Emerging Technologies Panel.

1           **TITLE I—INTELLIGENCE**  
2                           **ACTIVITIES**

3   **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

4       Funds are hereby authorized to be appropriated for  
5   fiscal year 2005 for the conduct of the intelligence and  
6   intelligence-related activities of the following elements of  
7   the United States Government:

8           (1) The Central Intelligence Agency.

9           (2) The Department of Defense.

10          (3) The Defense Intelligence Agency.

11          (4) The National Security Agency.

12          (5) The Department of the Army, the Depart-  
13   ment of the Navy, and the Department of the Air  
14   Force.

15          (6) The Department of State.

16          (7) The Department of the Treasury.

17          (8) The Department of Energy.

18          (9) The Department of Justice.

19          (10) The Federal Bureau of Investigation.

20          (11) The National Reconnaissance Office.

21          (12) The National Geospatial-Intelligence Agen-  
22   cy.

23          (13) The Coast Guard.

24          (14) The Department of Homeland Security.

1 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

2 (a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL  
3 CEILINGS.—The amounts authorized to be appropriated  
4 under section 101, and the authorized personnel ceilings  
5 as of September 30, 2005, for the conduct of the intel-  
6 ligence and intelligence-related activities of the elements  
7 listed in such section, are those specified in the classified  
8 Schedule of Authorizations prepared to accompany the bill  
9 H.R. 4548 of the One Hundred Eighth Congress.

10 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-  
11 THORIZATIONS.—The Schedule of Authorizations shall be  
12 made available to the Committees on Appropriations of  
13 the Senate and House of Representatives and to the Presi-  
14 dent. The President shall provide for suitable distribution  
15 of the Schedule, or of appropriate portions of the Sched-  
16 ule, within the executive branch.

17 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

18 (a) AUTHORITY FOR ADJUSTMENTS.—With the ap-  
19 proval of the Director of the Office of Management and  
20 Budget, the Director of Central Intelligence may authorize  
21 employment of civilian personnel in excess of the number  
22 authorized for fiscal year 2005 under section 102 when  
23 the Director of Central Intelligence determines that such  
24 action is necessary to the performance of important intel-  
25 ligence functions.

1 (b) NOTICE TO INTELLIGENCE COMMITTEES.—The  
2 Director of Central Intelligence shall notify promptly the  
3 Permanent Select Committee on Intelligence of the House  
4 of Representatives and the Select Committee on Intel-  
5 ligence of the Senate whenever the Director exercises the  
6 authority granted by this section.

7 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**  
8 **COUNT.**

9 (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
10 authorized to be appropriated for the Intelligence Commu-  
11 nity Management Account of the Director of Central Intel-  
12 ligence for fiscal year 2005 the sum of \$318,395,000.  
13 Within such amount, funds identified in the classified  
14 Schedule of Authorizations referred to in section 102(a)  
15 for advanced research and development shall remain avail-  
16 able until September 30, 2006.

17 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-  
18 ments within the Intelligence Community Management  
19 Account of the Director of Central Intelligence are author-  
20 ized 310 full-time personnel as of September 30, 2005.  
21 Personnel serving in such elements may be permanent em-  
22 ployees of the Intelligence Community Management Ac-  
23 count or personnel detailed from other elements of the  
24 United States Government.

25 (c) CLASSIFIED AUTHORIZATIONS.—

1           (1) AUTHORIZATION OF APPROPRIATIONS.—In  
2           addition to amounts authorized to be appropriated  
3           for the Intelligence Community Management Ac-  
4           count by subsection (a), there are also authorized to  
5           be appropriated for the Intelligence Community  
6           Management Account for fiscal year 2005 such addi-  
7           tional amounts as are specified in the classified  
8           Schedule of Authorizations referred to in section  
9           102(a). Such additional amounts for research and  
10          development shall remain available until September  
11          30, 2006.

12          (2) AUTHORIZATION OF PERSONNEL.—In addi-  
13          tion to the personnel authorized by subsection (b)  
14          for elements of the Intelligence Community Manage-  
15          ment Account as of September 30, 2005, there are  
16          also authorized such additional personnel for such  
17          elements as of that date as are specified in the clas-  
18          sified Schedule of Authorizations.

19          (d) REIMBURSEMENT.—Except as provided in section  
20          113 of the National Security Act of 1947 (50 U.S.C.  
21          404h), during fiscal year 2005 any officer or employee of  
22          the United States or a member of the Armed Forces who  
23          is detailed to the staff of the Intelligence Community Man-  
24          agement Account from another element of the United  
25          States Government shall be detailed on a reimbursable

1 basis, except that any such officer, employee, or member  
2 may be detailed on a nonreimbursable basis for a period  
3 of less than one year for the performance of temporary  
4 functions as required by the Director of Central Intel-  
5 ligence.

6 (e) NATIONAL DRUG INTELLIGENCE CENTER.—

7 (1) IN GENERAL.—Of the amount authorized to  
8 be appropriated in subsection (a), \$29,811,000 shall  
9 be available for the National Drug Intelligence Cen-  
10 ter. Within such amount, funds provided for re-  
11 search, development, testing, and evaluation pur-  
12 poses shall remain available until September 30,  
13 2006, and funds provided for procurement purposes  
14 shall remain available until September 30, 2007.

15 (2) TRANSFER OF FUNDS.—The Director of  
16 Central Intelligence shall transfer to the Attorney  
17 General funds available for the National Drug Intel-  
18 ligence Center under paragraph (1). The Attorney  
19 General shall utilize funds so transferred for the ac-  
20 tivities of the National Drug Intelligence Center.

21 (3) LIMITATION.—Amounts available for the  
22 National Drug Intelligence Center may not be used  
23 in contravention of the provisions of section  
24 103(d)(1) of the National Security Act of 1947 (50  
25 U.S.C. 403–3(d)(1)).

1           (4) AUTHORITY.—Notwithstanding any other  
2       provision of law, the Attorney General shall retain  
3       full authority over the operations of the National  
4       Drug Intelligence Center.

5       **TITLE II—CENTRAL INTEL-**  
6       **LIGENCE AGENCY RETIRE-**  
7       **MENT AND DISABILITY SYS-**  
8       **TEM**

9       **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

10       There is authorized to be appropriated for the Cen-  
11       tral Intelligence Agency Retirement and Disability Fund  
12       for fiscal year 2005 the sum of \$239,400,000.

13       **TITLE III—GENERAL**  
14       **PROVISIONS**

15       **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND**  
16       **BENEFITS AUTHORIZED BY LAW.**

17       Appropriations authorized by this Act for salary, pay,  
18       retirement, and other benefits for Federal employees may  
19       be increased by such additional or supplemental amounts  
20       as may be necessary for increases in such compensation  
21       or benefits authorized by law.

22       **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**  
23       **ACTIVITIES.**

24       The authorization of appropriations by this Act shall  
25       not be deemed to constitute authority for the conduct of

1 any intelligence activity which is not otherwise authorized  
2 by the Constitution or the laws of the United States.

3 **SEC. 303. ASSISTANT DIRECTOR OF CENTRAL INTEL-**  
4 **LIGENCE FOR INFORMATION MANAGEMENT.**

5 (a) ESTABLISHMENT OF POSITION WITHIN THE OF-  
6 FICE OF THE DIRECTOR OF CENTRAL INTELLIGENCE.—

7 Subsection (e)(2) of section 102 of the National Security  
8 Act of 1947 (50 U.S.C. 403) is amended—

9 (1) by striking subparagraph (G); and

10 (2) by inserting after subparagraph (F) the fol-  
11 lowing new subparagraph (G):

12 “(G) The Assistant Director of Central Intel-  
13 ligence for Information Management.”.

14 (b) DUTIES.—Section 102 of such Act (50 U.S.C.  
15 403) is amended—

16 (1) by striking subsection (h); and

17 (2) by inserting after subsection (g) the fol-  
18 lowing new subsection (h):

19 “(h) ASSISTANT DIRECTOR OF CENTRAL INTEL-  
20 LIGENCE FOR INFORMATION MANAGEMENT.—(1) To as-  
21 sist the Director of Central Intelligence in carrying out  
22 the Director’s responsibilities under this Act, there shall  
23 be an Assistant Director of Central Intelligence for Infor-  
24 mation Management who shall be appointed by the Presi-  
25 dent, by and with the advice and consent of the Senate.



1 The Assistant Director of Central Intelligence for Infor-  
2 mation Management is the chief information officer of the  
3 intelligence community.

4 “(2) Subject to the direction of the Director of Cen-  
5 tral Intelligence, the Assistant Director of Central Intel-  
6 ligence for Information Management shall—

7 “(A) manage activities relating to the informa-  
8 tion technology infrastructure and enterprise archi-  
9 tecture requirements of the intelligence community;

10 “(B) have procurement approval authority over  
11 all information technology items related to the enter-  
12 prise architectures of all intelligence community  
13 components;

14 “(C) direct and manage all information tech-  
15 nology-related procurement for the intelligence com-  
16 munity; and

17 “(D) ensure that all expenditures for informa-  
18 tion technology and research and development activi-  
19 ties are consistent with the intelligence community  
20 enterprise architecture and the strategy of the Di-  
21 rector of Central Intelligence for such architecture.

22 “(3) An individual serving in the position of Assistant  
23 Director of Central Intelligence for Information Manage-  
24 ment may not, while so serving, serve as the chief informa-

1 tion officer of any other agency or department, or compo-  
2 nent thereof, of the United States.”.

3 (c) REFERENCES.—Any reference to the Assistant  
4 Director of Central Intelligence for Administration in any  
5 law, regulation, document, paper, or other record of the  
6 United States shall be deemed to be a reference to the  
7 Assistant Director of Central Intelligence for Information  
8 Management.

## 9 **TITLE IV—CENTRAL** 10 **INTELLIGENCE AGENCY**

### 11 **SEC. 401. PERMANENT EXTENSION OF CENTRAL INTEL-** 12 **LIGENCE AGENCY VOLUNTARY SEPARATION** 13 **INCENTIVE PROGRAM.**

14 (a) EXTENSION OF PROGRAM.—Section 2 of the Cen-  
15 tral Intelligence Agency Voluntary Separation Pay Act (50  
16 U.S.C. 403–4 note) is amended—

17 (1) by striking subsection (f); and

18 (2) by redesignating subsections (g) and (h) as  
19 subsections (f) and (g), respectively.

20 (b) TERMINATION OF FUNDS REMITTANCE RE-  
21 QUIREMENT.—(1) Section 2 of such Act (50 U.S.C. 403–  
22 4 note) is further amended by striking subsection (i).

23 (2) Section 4(a)(2)(B)(ii) of the Federal Workforce  
24 Restructuring Act of 1994 (5 U.S.C. 8331 note) is amend-  
25 ed by striking “, or section 2 of the Central Intelligence

1 Agency Voluntary Separation Pay Act (Public Law 103–  
2 36; 107 Stat. 104)”.  
3

4 **TITLE V—DEPARTMENT OF DE-**  
5 **FENSE INTELLIGENCE AC-**  
6 **TIVITIES**

7 **SEC. 501. NATIONAL SECURITY AGENCY EMERGING TECH-**  
8 **NOLOGIES PANEL.**

9 The National Security Agency Act of 1959 (50  
10 U.S.C. 402 note) is amended by adding at the end the  
11 following new section:

12 “SEC. 19. (a) There is established the National Secu-  
13 rity Agency Emerging Technologies Panel. The panel is  
14 a standing panel of the National Security Agency. The  
15 panel shall be appointed by, and shall report directly to,  
16 the Director.

17 “(b) The National Security Agency Emerging Tech-  
18 nologies Panel shall study and assess, and periodically ad-  
19 vise the Director on, the research, development, and appli-  
20 cation of existing and emerging science and technology ad-  
21 vances, advances on encryption, and other topics.

22 “(c) The Federal Advisory Committee Act (5 U.S.C.  
23 App.) shall not apply with respect to the National Security  
Agency Emerging Technologies Panel.”.